

Joseph D. Meyer

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Littlefork, MN 56653-0344

218-324-1345

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MAR 12 2010

CLERK, U.S. DISTRICT COURT
ST. PAUL, MN

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joseph D. Meyer

Plaintiff,

vs.

Commissioner of
Internal Revenue Service

Defendant,

Case No. 10-767 JNE/RLE

DEMAND FOR JURY TRIAL

YES _____ NO X

COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act, 5 USC 552, to order defendants to produce certain documents for inspection and copying.
2. This is an action under the Privacy Act, 5 USC 552a, to order defendants to expunge and correct certain documents and to furnish an accounting.
3. This Court has jurisdiction over this action pursuant to 5 USC 552 (a)(4); Title 28 USC 1361; and the First and Fifth Amendments of the Constitution of the United States.

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U.S. DISTRICT COURT ST. PAUL

4. Plaintiff is a Citizen of the United States and resident of this district.
5. Defendant Internal Revenue Service is an agency of the Executive Branch in which the documents are located.
6. By letter dated December 10, 2009 and addressed to Internal Revenue Service, Cincinnati Ohio 45999-0025, a copy of which is attached hereto and identified as Plaintiff's exhibit A, Plaintiff requested access to certain documents.
7. By letter dated December 10, 2009 and addressed to Internal Revenue Service, Cincinnati Ohio 45999-0025, a copy of which is attached hereto and identified as Plaintiff's exhibit A, Plaintiff requested correction, amendment and/or expungement of certain documents.
8. By letter dated January 20, 2010, a copy of which is attached hereto and identified as Plaintiff's exhibit B, Defendants promised to respond no later than March 3, 2010.
9. Defendants have failed to respond by their own timetable, and have also failed to respond, in whole or in part, within the time limits mandated by the Freedom of Information Act, 5 USC 552 (a)(6)(1).
10. Defendants have failed to respond by their own timetable, and have also failed to respond, in whole or in part, within the time limits mandated by the Privacy Act, 5 USC 552a (d)(3).
11. Plaintiff has the right to treat the failure to comply within the time limits as Defendants final denial of Plaintiff's requests.

12. Pursuant to 5 USC 552a(d)(B)(i), plaintiff is entitled to access, to correct, amend and/or expunge the requested documents and there is no legal basis for Defendant's denial of Plaintiff's requests.

13. Plaintiff has exhausted his administrative remedies and is entitled, pursuant to law, to inspect and copy the requested documents.

14. Plaintiff is harmed by the defendant's maintenance of the above mentioned documents for the following reasons:

a. The documents are in violation of Plaintiff's statutory rights as set forth in the Privacy Act, 5 USC 552a (e)(1)(5)(7).

b. The documents are an affront to Plaintiff and a reminder to him forever of the deprivation of Constitutional and statutory rights.

c. Unless removed, corrected or amended by order of this Court, the documents could adversely effect Plaintiff's relationship with other IRS employees, and employees and officials of other government agencies.

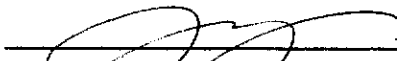
d. Unless removed, corrected or amended by order of this Court, the documents will continue to adversely effect Plaintiff's relationship with public and private financial institutions.

15. WHEREFORE, Plaintiff prays:

(1) that the Court order the Defendants to produce certain documents requested by Plaintiff for inspection and copying;

- (2) that the Court order the Defendants to correct, amend and/or expunge the documents as requested by Plaintiff;
- (3) that the Court award Plaintiff his costs and disbursements in this action as provided in 5 USC 552a;
- (4) that the Court grant such other relief as the Court may deem just and proper, and;
- (5) that the Court provide for expedition of proceedings on this complaint as provided in 5 USC (a)(4)(C)(D).

Dated: March 10, 2010 at Littlefork, Minnesota

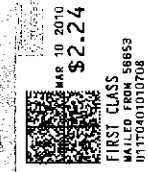
A handwritten signature in black ink, appearing to read 'Joseph D. Meyer', is written over a horizontal line.

Joseph D. Meyer, Pro Se

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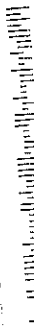
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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
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